PETITION FOR ZONING VARIANCE IN RE:

SW/S Kent Road, 130 ft. NW

of c/1 Galena Road ZONING COMMISSIONER

1458 Kent Road

15th Election District

5th Councilmanic District Legal Owner: F. Hilker, et ux *

Contract Purchaser: James Grace

Petitioner

OF BALTIMORE COUNTY

Case No. 96-264-A

BEFORE THE

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 1458 Kent Road, not far from Back River in eastern Baltimore County. The Petition is filed by Frederick Hilker and Evelyn Hilker, his wife, property owners, and James Grace, Contract Purchaser. Variance relief is requested from Section 1802.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 50 ft. lot width, lieu of the required 55 ft., for a single family dwelling. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was James Grace, Contract Purchaser. Also present was Thomas E. Phelps, the Registered Property Line Surveyor who prepared the site plan. There were no Protestants or any interested persons present.

Testimony and evidence presented was that the subject property lies within an older subdivision in eastern Baltimore County, not far from Back River. The property is presently owned by Frederick and Evelyn Hilker but under contract of sale to James Grace. In addition to the subject lot, and Mrs. Hilker own and reside on an adjacent lot. As is the case with Mr. many older subdivisions of Baltimore County, the lots in this community laid out in 50 ft. widths. The subject is approximately 10,000 sq. were ft. in area, zoned D.R.5.5. Although the property is only 55 ft. wide, it is 200 ft. deep.

MICROFILME

OHULLI RECEIVE FUR FILING

The Petitioner proposes constructing a single family dwelling on the lot. As shown on the site plan, the dwelling will conform to all zoning regulations, but for the width requirement. That is, the required front, side and rear yard setbacks will be maintained.

The Petitioner presented a series of photographs of other houses in the community (Petitioner's Exhibit Nos. 2A through 2E). These photographs corroborated the testimony offered that a majority of the houses in the vicinity are situated on 50 ft. lots. Thus, the proposed house and utilization of the subject lot will be consistent with other houses and properties in the immediate vicinity.

The case file also indicates that the Petitioner has submitted elevation drawings of the proposed dwelling to the Office of Planning. These drawings would be required by law if the Petitioner was proceeding for approval of the development of an undersized lot, pursuant to Section 304 of the BCZR. The elevation drawings and style of the house has been approved by the Office of Planning. In that this case is proceeding by variance, pursuant to Section 307, the Office of Planning's approval is not technically required, however, their comments will be incorporated herein to assure compatibility with the existing community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (BCZR) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

A CANAL CONTRACTOR

In addition to the recommendations of the Office of Planning, as related to the proposed dwelling set forth hereinabove, I shall also incorporate as conditions, precedent to the relief, a restriction that the Petitioner comply with the Zoning Plans Advisory Committee (ZAC) comments which have been issued. Relevant comments have been issued by the Department of Environmental Protection and Resource Management (DEPRM) and the Development Plans Review Division. These comments mainly spring from the fact that the property is within the critical bay area in view of its location proximate to Muddy Gut Creek and Back River.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22 day of February, 1996 that a variance from Section 1802.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 50 ft. lot width, in lieu of the required 55 ft., for a single family dwelling, be and is hereby GRANTED, subject to the following restrictions:

- 1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, DEPRM dated January 29, 1996, and Development Plans Review Division, dated January 26, 1996, are adopted in their entirety and made a part of this Order.
- 3. The proposed dwelling shall be substantially similar in style and appearance to the elevation drawings approved by the Office of Planning in this matter.

-3-

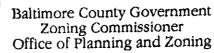
, iday of solding no

4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES/mmn





Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

February 21, 1996

Mr. James Grace 2527 Barrison Point Road Baltimore, Maryland 21221

RE: Case No. 96-264-A

Petition for Zoning Variance Property: 1458 Kent Road

Dear Mr. Grace:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

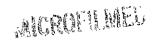
Lawrence E. Schmidt Zoning Commissioner

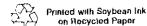
LES:mmn

att.

c: Mr. Thomas E. Phelps, 945 Barron Avenue, 21221

c: Ms. Andrea Coscia, 1457 Kent Road, Balto. Md. 21221





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

96-264-A

1458 Kent Road Baltimore MD
which is presently zoned DR5.5

This Petition shall be filed with the Department of Permits & Development Management
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3 To allow for a 50' for width in lieu of the required 55' lot width. (under Size for

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) The original lots in this subdivision were only 50° and the owner prchased two lots, one to build on and one to sell at a future date which is now.

Property is to be posted and advertised as prescribed by Zoning Regulations.

i, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			t/We do solemnly declare and affirm, under the per	naities of perjury, that live are the
			legal owner(s) of the property which is the subject of	this Petition
Contract Purchaser/Lessee			Legal Owner(s)	
James Grace			Fredrick &XXXXXXXXX	Hilker
(Type of Frantivarile)	S.		(Type or Print Name)	4
Kins	han		Oredonek & Til	Res
Signature			Signature	
2527 Barris	on Pt. Rd.		Evelyn Hilker	
Baltimore,	MD 21221		Errelin Ahl	ku
Сну	State	Zipcode	Signature	
Altorney for Petitioner,				
			1456 Kent Road (41)	0) 687 8414
(Type or Print Name)			Address	Phone No
1			Baltimore, MD	21221
Signature			City Sta Name, Address and phone number of representative	ite Zipcode
}			, , , , , , , , , , , , , , , , , , , ,	
			Thomas Phelps	
Address	Phone No.		Name	······································
City			945 Barron Ave (410	7 7
Ony	State	Zipcode	Address	Phone No
,	i	i	OFFICE USE ONL	Y 100-1
į			ESTIMATED LENGTH OF HEARING unavailable for Hea	ring
₹			the following dates	Next Two Months
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Revised 9/5/95			REVIEWED BY: DA	TE 125-96
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	Millian	20 mg to		

Zoning Description Ttem# 264

Zoning Description

1458 Kent Rd. 96-264-A

Beginning at a point on the SW side of Kent Rd; 130 ft + NW of the Centerline of Balena Rd. Thence running NW 50 ft. thence SW 200 ft. thence NE 50 ft. thence NE 200 ft. to the point of beginning. Containing 10,000 50 ft. & located in the 15th Election District.

A Bridge Comment

ZONING DEPARTMENT OF BALTIMORE COUNTY Towns, Maryland CERTIFICATE OF POSTING

Posted for: Variance Peditionar: Frederick Hilker and Evelyn Hilker – James Grace Location of property: 1458 Kent Road	Location of Signe Drent of Jane along wat	Remarks:	
--	---	----------	--

MOTINGE OF HEARING

The Zoring Commissioner of Bullishers County, by authority of the Zoring Act and Heguts fore of Bullimbre County will hold a public heading on the property absoluted herein in Room 105 of the County Office Bulling, 41t W. Chesan

peake Avenue in Toyson.
Maryland 21204 or
18. Toll Countriouse, 400
Vicelingtha Avenue, Towson,
Maryland 21204 as follows:

Cabe: #56-254-A:
(Riem. 264):
1438 Keet Road
SWS Keir Hoad, 139' NW of
ol-Galera Road
15th Election Distinct
5th Councilmanic
Legal Owner(s):
Frederick Hillier and Evelyn

Contract Purchaser.

James Grace.
Variance: to allow for a:50 Yariance: to allow for a:50 foot for width in lieu of the required 55 foot lot width (understand Ga).
Hearing: Wednesday, February 14, 1996 at 10:00 a.m. in fm. 118, Old Courthouse.

LAWRENCE E SCHMIDT Zoning Commissioner for Batimore County NOTES: (1) Hearings are Handicapped Accessible; for special accummodations Please Call 987-3353.

(2) For information concenning: the File and/or Hearing, Please Call 887-3391.

1/200 Jan 25.

(27814

CERTIFICATE OF PUBLICATION

TOWSON, MD., _

weeks, the first publication appearing on _ in Towson, Baltimore County, Md., once in each of _____ successive published in THE JEFFERSONIAN, a weekly newspaper published THIS IS TO CERTIFY, that the annexed advertisement was

THE JEFFERSONIAN,

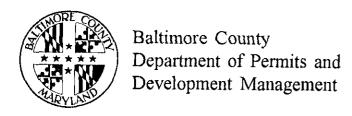
LEGAL AD. - TOWSON

BALTIMORE CUUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 1-5-96
ACCOUNT R-001-61570

PARCEIVED TO M. Phelos

RECEIVED TO



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

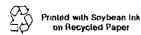
This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 264
Petitioner: Tromas PHELPS
Location: 945 BARRON AVE BALT MD 21221
PLEASE FORWARD ADVERTISING BILL TO:
NAME: VAMES GRACE
ADDRESS: 2597 BARNEON PT DO
BACT, MD. 21221
PHONE NUMBER: (410) 391 0179



AJ:qgs

TO: PUTUXENT PUBLISHING COMPANY
January 25, 1996Issue - Jeffersonian

Please foward billing to:

James Grace 2527 Barrison Point Road Baltimore, MD 21221 391-0179

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-264-A (Item 264)

1458 Kent Road

SW/S Kent Road, 130' NW of c/l Galena Road 15th Election District - 5th Councilmanic Legal Owner: Fredrick Hilker and Evelyn Hilker

Contract Purchaser: James Grace

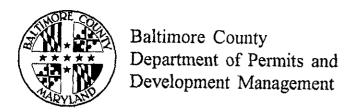
Variance to allow for a 50 foot lot width in lieu of the required 55 foot lot width (undersized lot).

HEARING: WEDNESDAY, FEBRUARY 14, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
 - (2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

on Recycled Paper



Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

February 7, 1996

James Grace 2527 Barrison Pt. Road Baltimore, MD 21221

RE: Item No.: 264

Case No.: 96-264-A

Petitioner: Fredrick Hilker

Dear Mr. Grace:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 5, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

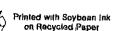
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Jan. 26, 1996 Zoning Administration and Development Management

FROM Robert W. Bowling, P.E., Chief
WDevelopment Plans Review Division

RE:

Zoning Advisory Committee Meeting for January 22, 1996

Item No. 264

The Development Plans Review Division has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor of residential development.

RWB:sw

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Mr. Arnold Jablon, Director

January 29, 1996

Zoning Administration and Development Management

FROM:

J. Lawrence Pilson

Development Coordinator, DEPRM

SUBJECT:

Zoning Item #264 - Hilker Property

1456 Kent Road

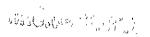
Zoning Advisory Committee Meeting of January 16, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

JLP:TI:sp

HILKER/DEPRM/TXTSBP



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE:

January 18, 1996

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Bary L. Klins

Item Nos. 254, 255, 257, 258, 260, 263, and 264

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 01/17/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 16. 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 259, 254, 255, 256, 257, 258,257, 260, 261, 263 AND (264.)

MCROFILMEL

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

CC: File
Printed with Soybean Ink



David L. Winstead Secretary Hal Kassoff Administrator

Ms. Joyce Watson Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

1-16-96

Baltimore County (553)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief Engineering Access Permits

BS/es

MICROPILMED

My telephone number is _

PETITION PROBLEMS

#254 --- JRA

1. No address, zip code, or telephone number on petition form for legal owner.

#255 --- MJK

1. Bottom of petition form states conditional approval was given - Where is it?

#259 --- MJK

- 1. No telephone number on petition forms for legal owner.
- 2. No signature for attorney on variance petition.

#262 --- JJS

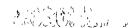
- 1. No authorization for person signing for legal owner.
- 2. No hardship or practical difficulty listed on petition form.

#264 --- JJS

1. Where is undersized lot information?

#265 --- CAM

- 1. No signature for legal owner on variance petition.
- 2. No telephone number for legal owner on petition forms.
- 3. No signature for attorney on variance petition.
- 4. No review information completed on bottom of variance petition.



*	*	*	**	*	*	*	*	*	*	*	*
	Peti	tioner	s								
Con	tract	Purcha	ser: Ja	mes G	race		*		CASE NO	. 96-2	164-A
-			redric		-	ilker					
							*		OF BALT	IMORE	COUNTY
Dis	trict,	5th C	ounciln	nanic							
NW o	of $c/1$	Galen	a Road,	, 15th	Elect	ion	*		ZONING	COMMIS	SSIONER
1458	B Kent	Road,	SW/S H	Kent Ro	bad, 13	30'					
			OR VARI				*		BEFORE	THE	

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13¹⁷ day of February, 1996, a copy of the foregoing Entry of Appearance was mailed to Thomas Phelps, 945
Barron Avenue, Baltimore, MD 21221, representative for Petitioners.

A CONTRACTOR OF THE PARTY OF TH

PETER MAX ZIMMERMAN

SCHEDULE DATES, CERTIFICATE OF FILING AN POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2 DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT County Office Building

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted for filing by <u>T. Sullayan</u> on <u>1-5-96</u> . Date (A)
Date (A)
A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00 and posting \$35.00; total \$85.00.
In the absence of a request for public hearing during the 15-day posting period a decision can be expected within approximately four weeks. However, if a validemand is received by the closing date, then the decision shall only be rendered after the required public special hearing.
*SUGGESTED POSTING DATE 1-15-96 D (15 Days Before C)
*SUGGESTED POSTING DATE /-/3-70 D (15 Days Before C)
DATE POSTED
HEARING REQUESTED-YES NO DATE
CLOSING DAY (LAST DAY FOR HEARING DEMAND) 1-30-96 C (B-3 Work Days)
TENTATIVE DECISION DATE $2-4-96$ B (A + 30 Days)
*Usually within 15 days of filing
CERTIFICATE OF POSTING
District
Location of property:
Posted by: Date of Posting: Signature
Number of Signs:



INTER-OFFICE CORRESPONDENCE RECOMMENDATION FORM

VARIANCE = Item # 264 1-5-96,

Director, Office of Planning & Community Conservation

Attn: Ervin McDaniel

County Courts Bidg, Rm 406

401 Bosley Av Towson, MD 21204

FROM:

70:

Arnold Jablon, Director, Department of Permits & Development Management

Undersized Lots RE:

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

All the ball to the court of the standard to the	
u Jim Grace 2527 Barrison Pt.	
Print Name of Applicant Address	Telephone Number
🗆 lot Address <u>1458 Kent Road</u>	Election District 15 Council District 19 Square Feet 10,000
Lot Location: NESW/side/corner of Kent Rd.	, 100 feet from NESW corner of Galena Rd.
(street)	(stree!)
Load Owner Fredrick & Evelyn Hilker	Tex Account Number 22 00 024458
Address 1456 Kent Road	Telephone Number (410) 687 8414
Baltimore, Md., 21221	
CHECKLIST OF MATERIALS: to be submitted for design re	eview by the Office of Planning & Community Conservation PROVIDED? Residential Processing Fee Paid
1. This Recommendation Form (3 copies)	YES NO Codes 030 & 080 (\$85) X Accepted by
2. Permit Application	X ZADM
/ 3. Site Plan	J Date
Property (3 copies)	X temperatural
Topo (Map (available in Rm 204 c.o.b.) (2 copies) (please label site clearly)	<u>x</u>
4)Building Elevation Drawings	<u>×</u>
5. Photographs (please label all photos clearly) Adjoining Buildings	X NOT TOday, will submit
Surrounding Neighborhood	<u>x</u>
TO BE FILLED IN BY THE OFFICE	OF PLANNING & COMMUNITY CONSERVATION ONLY!!
	ditioned on required modifications of the permit to conform with the following ommendations:

lorthe Director, Office of Planning & Community Conservation

Date: 1/29/96

INTER-OFFICE CORRESPONDENCE RECOMMENDATION FORM

Director, Office of Planning & Community Conservation TQ. Attn: Ervin McDaniel County Courts Bldg, Rm 406

401 Bosley Av Towson, MD 21204

Amold Jablon, Director, Department of Permits & Development Management

RE: **Undersized Lots**

FROM:

Pursuant to Section 304 2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Jim Grace 2527 Barrison Pt.	Telephone Aumber
Lot Address 1458 Kent Road	Election District 15 Council District / 9 Square Feet 10,000
Lot Location: NESW/side/corner of Kent Rd.	, 100 feet from NES W corner of Galena Rd.
land Owser Fredrick & Evelyn Hilker	Tax Account Humber 22 . 00 . 024458
Address 1456 Kent Road	Telephone Number (410) 682 8414
Baltimore, Md., 21221	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
CHECKLIST OF MATERIALS: to be submitted for design in 1. This Recommendation Form (3 copies)	review by the Office of Planning & Community Conservation PROVIDED? Residential Processing Fee Paid Codes 030 & 080 (\$85)
2. Permit Application	Accepted by ZADM Date
3. Site Plan Property (3 copies)	X !
Topo Map (available in Rm 206 C.0.8.) (2 copies) (please libel site clearly)	<u>x</u>
4. Building Elevation Drawings	Х <u>3</u>
 Photographs (please label oil photos clearly) Adjoining Buildings 	* NET today, will submit
Surrounding Neighborhood	x
TO BE FILLED IN BY THE OFFICE (OF PLANNING & COMMUNITY CONSERVATION ONLY!!
Approvat Disapproval Approval con	nditioned on required modifications of the permit to conform with the following commendations:

MICROFIL MEL

for the Olivetor, Office of Planning & Community Conservation

Date: 1/29/96

SCHEDULE ATES, CERTIFICATE OF FILING AN OSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2 DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT County Office Building

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted
for filing byon
A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00 and posting \$35.00; total \$85.00.
In the absence of a request for public hearing during the 15-day posting period a decision can be expected within approximately four weeks. However, if a validemand is received by the closing date, then the decision shall only be rendere after the required public special hearing.
*SUGGESTED POSTING DATE 1-15-96 D (15 Days Before C)
DATE POSTED
HEARING REQUESTED-YESNODATE
CLOSING DAY (LAST DAY FOR HEARING DEMAND) 1-30-96 C (B-3 Work Days)
TENTATIVE DECISION DATE $2-4-96$ B (A + 30 Days)
*Usually within 15 days of filing
, which will be seen the seen of the seen
CERTIFICATE OF POSTING
District
Location of property:
Data of Posting:
Posted by: Date of Posting: Signature
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	I HAVE CAREFULLY READ THIS APPLICATION NAME: JAMES GRACE	
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Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

February 22, 1996

(410) 887-4386

Mrs. Andrea R. Coscia 1457 Kent Road Baltimore, Maryland 21221

> RE: Petition for Variance Case No. 96-264-A

> > Property: 1458 Kent Road

Dear Mrs. Coscia:

This is to acknowledge your letter of February 14, 1996 regarding the above matter. For your reference I have enclosed a copy of the opinion and Order issued in this case. Please note that I granted the zoning variance requested, subject to several restrictions.

Among the restrictions attached to the grant of this relief is a requirement that the Petitioner comply with the Zoning Plans Advisory Committee comment forwarded to me from the Department of Environmental Protection and Resource Management (DEPRM). In every zoning case, this one included, DEPRM submits a written recommendation for my consideration. In this case, DEPRM indicated that the property was subject to the Chesapeake Bay Critical Area regulations and that all development on the site must conform to those regulations. By attaching that condition as a restriction, I will require the property owner to comply with these regulations and work with DEPRM to ensure no adverse environmental effect.

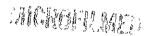
I regret that you were unable to appear at the hearing to voice your concerns. If you have any questions regarding this matter, please contact me.

Very truly yours,

Lawrence E. Schmidt

Zoning Commissioner

LES:mmn encl.



February 14, 1996

Mr. Laurence Schmidt Zoning Commissioner Rm. 112 - Old Courthouse 400 Washington Avenue Jawson, Md 21204



re: Case # 96-264 A

1458 Kent Rd, Balto. Md. 21221

Dear Mr. Schmidt,

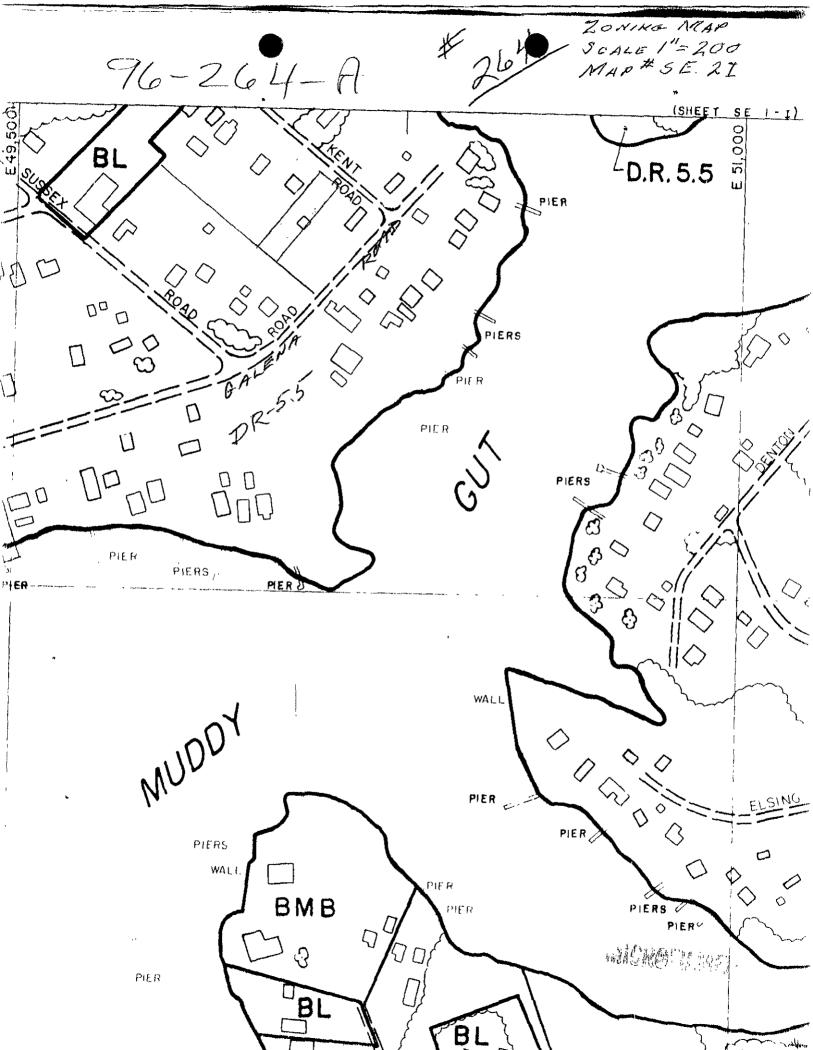
Unfortunately, due to car trouble, I was unable to attend the hearing scheduled for today with reference to the above case.

I am intelested in this case because I live across the street from said property. My current concerns are "runoff" from rain, snow, etc. and what impact that will have Since we are located in the "Chesapeake Bay Critical area" In am aware that there are certain restrictions with regard to new dwellings or buildings to be erected. The "unimproved" lot adjacent to myself (1457 Kent) is listed as "non-buildable" as it acts a the natural run-off site. We currently, during heavy rains and snowfall, get a fact of water through the. My main concern is that the guideline in the "critical" area will be adhered to such as pentatration of water into provided.

Thank you for your considerations in this matter and would appreciate receiving a copy of order when a decision is reached.

Sixcerely,

Mrs. Andrea R. Coscia
1457 Kent Rd.
Balto. Md 21221
(410-682-6260)

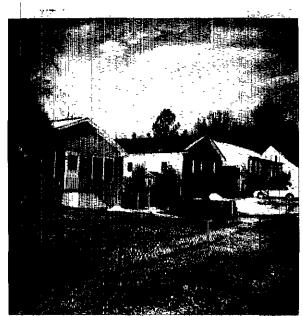




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FROM PROPERTY IN



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IN RE: PETITION FOR ZONING VARIANCE SW/S Kent Road, 130 ft. NW ZONING COMMISSIONER of c/l Galena Road 1458 Kent Road 15th Election District OF BALTIMORE COUNTY 5th Councilmanic District Legal Owner: F. Hilker, et ux * Case No. 96-264-A Contract Purchaser: James Grace Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 1458 Kent Road, not far from Back River in eastern Baltimore County. The Petition is filed by Frederick Hilker and Evelyn Hilker, his wife, property owners, and James Grace, Contract Purchaser. Variance relief is requested from Section 1B02.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 50 ft. lot width, in lieu of the required 55 ft., for a single family dwelling. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was James Grace, Contract Purchaser. Also present was Thomas E. Phelps, the Registered Property Line Surveyor who prepared the site plan. There were no Protesitants or any interested persons present.

Testimony and evidence presented was that the subject property lies within an older subdivision in eastern Baltimore County, not far from Back River. The property is presently owned by Frederick and Evelyn Hilker but inder contract of sale to James Grace. In addition to the subject lot, Mr. and Mrs. Hilker own and reside on an adjacent lot. As is the case with many older subdivisions of Baltimore County, the lots in this community were laid out in 50 ft. widths. The subject is approximately 10,000 sq. ft. in area, zoned D.R.5.5. Although the property is only 55 ft. wide, it is 200 ft. deep.

The Petitioner proposes constructing a single family dwelling on the lot. As shown on the site plan, the dwelling will conform to all zoning regulations, but for the width requirement. That is, the required front, side and rear yard setbacks will be maintained.

The Petitioner presented a series of photographs of other houses in the community (Petitioner's Exhibit Nos. 2A through 2E). These photographs corroborated the testimony offered that a majority of the houses in the vicinity are situated on 50 ft. lots. Thus, the proposed house and utilization of the subject lot will be consistent with other houses and properties in the immediate vicinity.

The case file also indicates that the Petitioner has submitted elevation drawings of the proposed dwelling to the Office of Planning. These drawings would be required by law if the Petitioner was proceeding for approval of the development of an undersized lot, pursuant to Section 304 of the BCZR. The elevation drawings and style of the house has been approved by the Office of Planning. In that this case is proceeding by variance, pursuant to Section 307, the Office of Planning's approval is not technically required, however, their comments will be incorporated herein to assure compatibility with the existing community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (BCZR) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

related to the proposed dwelling set forth hereinabove, I shall also incorporate as conditions, precedent to the relief, a restriction that the Petitioner comply with the Zoning Plans Advisory Committee (ZAC) comments which have been issued. Relevant comments have been issued by the Department of Environmental Protection and Resource Management (DEPRM) and the Development Plans Review Division. These comments mainly spring from the fact that the property is within the critical bay area in view of its location proximate to Muddy Gut Creek and Back River.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of February, 1996 that a variance from Section 1B02.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 50 ft. lot width, in lieu of the required 55 ft., for a single family dwelling,

> 1. The Petitioner is hereby made aware that this Order has expired. If, for whatever reason, required to return, and be responsible for return-

similar in style and appearance to the elevation drawings approved by the Office of Planning in this matter.

In addition to the recommendations of the Office of Planning, as

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

be and is hereby GRANTED, subject to the following restrictions:

proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order is reversed, the Petitioner would be ing, said property to its original condition.

2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, DEPRM dated January 29, 1996, and Development Plans Review Division, dated January 26, 1996, are adopted in their entirety and made a part of this Order.

3. The proposed dwelling shall be substantially

Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at

1458 Kent Road Baltimore MD

which is presently zoned DR5.5 This Petition shall be filed with the Department of Permits & Development Management The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby patition for a Variance from Section(s) 1802.3 To allow for a 50 / 107 width in lieu of the required 55' lot width. (under 5/20 /ot)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) The original lots in this subdivision were only 50' and the owner prchased two lots, one to build on and one to sell at a future date which is now.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

VWe do solemnly declare and affirm, under the penalties of perjury, that I/we are the Contract Purchaser/Lessee: Fredrick &XXXV&XyX Hilker Janes Scan 2527 Barrison Pt. Rd. Baltimore, MD 21221 1456 Kent Road (410) 687 8414 Thomas Phelps 945 Barron Ave (410) 574 6744

DATE 1-5-96

Item # 264 Zoning Description 96-264-A

Beginning at a point on the SW side of Kent Rd; 130 pt + NW of the centerline of BAlena Rd. Thence running NW 50 ft. thence SW 200 ft. thence NE 50 ft, thence NE 200 ft. to the point of beginning. Containing 10,000 sq. ft. & locut4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order:

> LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

NOTICE OF HEARING

118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Patient Purchaser:
James Grace
Variance: to allow for a 50 foot lot width in Seu of the re-

quired 55 foot lot width (un-dersized lot). Hearing: Wednesday, Febru-ary 14, 1996 at 10:00 a.m. in Rm. 118, Old Courthouse.

Case: #96-264-A

District				Date of Posting	1/29/96
Posted for:	Variance	*****			,
Petitioner: _	Frederick	Hilker and	i Evelyn Hil	.ker – James Gr	race
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CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of _____ successive weeks, the first publication appearing on $\frac{1}{25}$, 1996

> THE JEFFERSONIAN. LEGAL AD. - TOWSON

	e: pare
BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT) 603
DATE 1-5-96 ACCOUNT R-001-6150	

96-264-A

DID - Residential Variable filingtee #500 #080 - Sign & Posting pwner: F. Hilker | Contin pwner: F. Hilker | Contin purches BLADDEG & SMICHROTOL E 185 ROS, es site: 1458 Kent Rd CO11:56AMD1-05-96

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

February 21, 1996

Mr. James Grace 2527 Barrison Point Road Baltimore, Maryland 21221

RE: Case No. 96-264-A Petition for Zoning Variance Property: 1458 Kent Road

Dear Mr. Grace:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

(410) 887-4386

Mr. Thomas E. Phelps, 945 Barron Avenue, 21221 Ms. Andrea Coscia, 1457 Kent Road, Balto Md. 21221

Revised 9/5/95



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

•	ARNOLD JABLON, DIRECTOR
For newspaper advertising:	
Item No.: 264	•
Trace Part	PS 16 1
Location: 945 BANKEN	AVE BALT KD 21221
PLFASE FORWARD ADVERTISING BILL TO):
NAME: VAINES GRACE	
ADDRESS: 2597 BARRISON	
PAUT MD. 21221	
PHONE NUMBER: (410) 391 01	79

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

: Arnold Jablon, Director DATE: Jan. 26, 1996
Zoning Administration and Development Management

FROM Robert W. Bowling, P.E., Chief
Development Plans Review Division

Zoning Advisory Committee Meeting for January 22, 1996 Item No. 264

The Development Plans Review Division has reviewed the subject zoning item. The property to be developed is the subject zoning item. The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor of residential development.

The state of the s

RWB: SW

TO: PUTUXENT PUBLISHING COMPANY January 25, 1996Issue - Jeffersonian

Please foward billing to:

James Grace 2527 Barrison Point Road Baltimore, MD 21221 391-0179

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towscn, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-264-A (Item 264) 1458 Kent Road SW/S Kent Road, 130' NW of c/1 Galena Road 15th Election District - 5th Councilmanic Legal Owner: Fredrick Hilker and Evelyn Hilker Contract Purchaser: James Grace

Variance to allow for a 50 foot lot width in lieu of the required 55 foot lot width (undersized lot).

HEARING: WEDNESDAY, FEBRUARY 14, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAVRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

Zoning Advisory Committee Meeting of January 16, 1996

The Department of Environmental Protection and Resource Management offers

Development of this property must comply with the Chesapeake Bay Critical

Area Regulations (Sections 26-436 through 26-461, and other Sections, of the

the following comments on the above-referenced zoning item.

January 29, 1996

Mr. Arnold Jablon, Director

Zoning Administration and Development Management

SUBJECT: Zoning Item #264 - Hilker Property

Development Coordinator, DEPRM

J. Lawrence Pilson

1456 Kent Road

Baltimore County Code).

JLP:TI:sp

HILKER/DEPRM/TXTSBP

Baltimore County Department of Permits and Development Management

Permits and Licenses County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 (410) 887-3900 Fax: (410) 887-2824

January 19, 1996

NOTICE OF HEARING

The Zoning Commissioner of Caltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-264-A (Item 264) 1458 Kent Road SW/S Kent Road, 130' NW of c/l Galena Road 15th Election District - 5th Councilmanic Legal Owner: Fredrick Hilker and Evelyn Hilker Contract Purchaser: James Grace

Variance to allow for a 50 foot lot width in lieu of the required 55 foot lot width (undersized lot).

HEARING: WEDNESDAY, FEBRUARY 14, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

cc: Fredrick and Evelyn Hilker James Grace Thomas Phelps

> NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Department of Permits and Development Management

Permits and Licenses County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 (410) 887-3900 Fax: (410) 887-2824

February 7, 1996

James Grace 2527 Barrison Pt. Road Baltimore, MD 21221

> RE: Item No.: 264 Case No.: 96-264-A Petitioner: Fredrick Hilker

Dear Mr. Grace:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 5, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

WCR/jw Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Permits and Development Management

DATE: January 18, 1996

FROM: Pat Keller, Director Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 254, 255, 257, 258, 260, 263, and 264)

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Baltimore County Government Fire Department

700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410)887-4880

DATE: 01/17/96

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 16, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 253, 254, 255, 256, 257, 258, 259, 260, 261, 263 AND (264.)

REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F

ITEM254/PZONE/ZAC1



David L. Winstead Secretary Hal Kassoff Administrator

1-16-96

RE: Baltimore County Item No. 264 (555)

Ms. Joyce Watson Baltimore County Office of Permits and Development Management

County Office Building, Room 109 Towson, Maryland 21204

Dear Ms. Watson: This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State

Highway Administration projects. Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Engineering Access Permits

My telephone number is _____ Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

		R-OFFICE CORRESPONDE RECOMMENDATION FORM		VARIAN. # 264 B-6	
·O:	Director, Office of Planning & Cor Attn: Ervin McDaniel County Courts Bldg, Rm 406 401 Bosley Av Towson, MD 21204			Permit	Number
ROM:	Arnold Jablon, Director, Department of	Permits & Develop	ment Hanage	ment	
a dwel	Undersized Lots Pursuant to Section 304.2(Baltimore County Zood comments from the Office of Planning & Lling permit. JAPPLICANT SUPPLIED INFORMATION:	oning Regulations) effective a Community Conservation	on prior to th	is office's appr	recommenda- roval of
_ 1	im Grace 2527 Barrison P	et. Rd.) 391 0179	
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Land (Dweer Fredrick & Evelyn Hill ess 1456 Kent Road Baltimore, Md., 21221 CHECKUST OF MATERIALS: to be submitted for des	Tox Account N Tel sign review by the Office PROVI	ephone Number <u>(1</u> of Planning & DED?	Community Conse	ervation al Processing Fee Paid as 030 & 080 (\$85)
Land (Dweer Fredrick & Evelyn Hill ess 1456 Kent Road Baltimore, Md., 21221 CHECKLIST OF MATERIALS: to be submitted for des	Tox Account N Tel sign review by the Office PROVI	ephone Number <u>(1</u> of Planning & DED?	Community Conse	ervation al Processing Fee Paid as 030 & 080 (\$85)
Land (Dweer Fredrick & Evelyn Hill ess 1456 Kent Road Baltimore, Md., 21221 CHECKLIST OF MATERIALS: to be submitted for des 1. This Recommendation Form (3 copies) 2. Permit Application	Tox Account N Tel sign review by the Office PROVI	ephone Number <u>(1</u> of Planning & DED?	Community Conse	ervation al Processing Fee Paid as 030 & 080 (\$85)
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Land (Downer Fredrick & Evelyn Hill ess 1456 Kent Road Raltimore, Md., 21221 CHECKLIST OF MATERIALS: to be submitted for des 1. This Recommendation Form (3 copies) 2. Permit Application Property (3 copies) Topo Map (available in Rm 206 C.O.B.) (2 copies)	Tox Account M Tel sign review by the Office PROVI	of Planning &	Community Conse	ervation al Processing Fee Paid as 030 & 080 (\$85)
Land (Dweer Fredrick & Evelyn Hill ess1456 Kent Road	sign review by the Office PROVI	of Planning &	Community Conse	ervation al Processing Fee Paid as 030 & 080 (\$85)

Signed by: James Monday	Ditte: 1/29/96
North Office of Planning & Community Conservation Revised 9/5/95	

Approval conditioned on required modifications of the permit to conform with the following

PETITION PROBLEMS

<u>#254</u>		<u>JRA</u>
-------------	--	------------

1. No address, zip code, or telephone number on petition form for legal owner.

#255 --- MJK

1. Bottom of petition form states conditional approval was given - Where is it?

#259 --- MJK

1. No telephone number on petition forms for legal owner.

2. No signature for attorney on variance petition.

#262 --- JJS

- 1. No authorization for person signing for legal owner.
- 2. No hardship or practical difficulty listed on petition form.

#264 --- JJS

1. Where is undersized lot information?

#265 --- CAM

- 1. No signature for legal owner on variance petition.
- 2. No telephone number for legal owner on petition forms.
- 3. No signature for attorney on variance petition. 4. No review information completed on bottom of variance petition.

7	APPLICATION FOR PERMIT ZZ DEC 95
	DEL MINORIE CONSTRUCTO AND -
	22-00-0-24458) BALTIMORE COUNTY MARTLAND OFFICE OF THE BUILDING ENGINEE
	TOWSON, MARYLAND - 21204 OEA: KA A
	HISTORIC DISTRICT/BLDG.
	PERMIT #: 8257345 PROPERTY ADDRESS 1458 KEUT RO YES NO
	RECEIPT #: A 286250 PROPERTY ADDRESS PAIT IMOCE, MD Z1221 YES NO
	CONTROL #: NA SUBDIV: HYDE PARK DO NOT KNOW
	XREF #: DISTRICT/PRECINCT 14)
	OWNER'S INFORMATION (LAST, FIRST)
	FEE: 100. 45. NAME: J. GRACE · COINC
	PAID: 105, ADDR: 2527 BARRISON PT. RD. BAUU. 21221
	PAID BY: Ana/
	INSPECTOR: APPLICANT INFORMATION
	I HAVE CAREFULLY READ THIS APPLICATION NAME: JAMES GRACE
	AND KNOW THE SAME IS CORRECT AND TRUE, COMPANY: J. GRACE + COINC
	AND THAT IN DOING THIS WORK ALL PROVI- ADDR1: 2527 BARRISON PT CO
	SIONS OF THE BALTIMORE COUNTY CODE AND ADDR2: (30LFO, MD - 2122)
	APPROPRIATE STATE RECULATIONS WILL BE OMPLIED WITH WHETHER HEREIN SPECIFIED PHONE #: 410-391-0179 MHIC LICENSE #: 600 7
	OR NOT AND WILL REQUIRED APPLICANT OF S
	INSPECTIONS. SIGNATURE: TRACT: BLOCK:
	BUILDING 1 or 2 FAM. / PLANS: CONST Z PLOT 7 PLAT DATA EL / PL/
	CODE CODE TENANT
	BOCA CODE CONTR: Clune
	TYPE OF IMPROVEMENT ENGNR:
	1. X NEW BLDG CONST SELLR: Hilker, Frederick T + Evelul E
	2. ADDITION 1456 Kout Kd.
	3. ALTERATION 2/2Z/
	4. REPAIR DESCRIBE PROPOSED WORK:
	5. WRECKING CONSTRUCT S.F.D. W/BASEHENT, 3-Bdrms,
	dROVING
	7OTHER 40 XZA X 239"=1,940 \$
	TYPE OF USE UNDERSIZELOT WITH ADV, OWNER HIP,
	DEGIDENMINI DECIDENMINI DELL'ANIATIE
	RESIDENTIAL NON-RESIDENTIAL RESIDENTIAL RE
	01. 1 ONE FAMILY 08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
	DV. TWO FAMILY US. CHURCH, UTHER RELIGIOUS BUILDING
	03. THREE AND FOUR FAMILY 10. FENCE (LENGTH HEIGHT) 04. FIVE OR MORE FAMILY 11. INDUSTRIAL, STORAGE BUILDING
	(ENTER NO UNITS) 12. PARKING GARAGE
~	05. SWÌMMING POOL 13. SERVICE STATION, REPAIR GARAGE 06. GARAGE 14. HOSPITAL, INSTITUTIONAL, NURSING HOME
	07. OTHER 15. OFFICE, BANK, PROFESSIONAL
	16. PUBLIC UTILITY 17 SCHOOL COLLEGE OTHER EDUCATIONAL
	TYPE FOUNDATION BASEMENT 18. SIGN
	1. Shab 1. V Full 13. Store Mercantile restroyant
	3. CONCRETE 3. NONE 20. SWIMMING POOL
	SPECIFY TYPE
	21. TANK, TOWER 22. TRANSIENT HOTEL, MOTEL (NO. UNITS)
	23. OTHER
	TYPE OF CONSTRUCTION / TYPE OF HEATING FUEL TYPE OF SEWAGE DISPOSAL
	1. GAS 3. X ELECTRICITY 1. Y PUBLIC SEWER Y EXISTS PROPOSED
	2. WOOD FRAME 2. OIL 4. COAL 2. PRIVATE SYSTEM SEPTIC EXISTS PROPOSED
	4. REINF. CONCRETE TYPE OF WATER SUPPLY PRIVY EXISTS PROPOSED
	_
	CENTRAL AIR: 1. 2. 1. Y PUBLIC SYSTEM X EXISTS PROPOSED PROPOSED PROPOSED PROPOSED
	OF MATERIALS AND LABOR
•	PROPOSED USE: SFD EXISTING USE: VACART
	OWNERSHIP
	1. X PRIVATELY OWNED 2. PUBLICLY OWNED 3. SALE 4. RENTAL
	RESIDENTIAL CATEGORY: 1. X DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE
	#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS 6HIRISE
	I FAMILY BEDROOMS 3 GARBAGE DISPOSAL 1. Y 2. YN BATHROOMS 1 CLASS 04
	POWDER ROOMS KITCHENS LIBER FOLIO 0319-
	. 09 59
	10100 # APPROVAL SIGNATURES DATE
	BUILDING SIZE LOT SIZE AND SETBACKS BLD INSP:
	FLOOR 1940, SIZE 50 x 200 LELD PLAN: 120 Kith - 1/12/95
, ·	WIDTH 40 FRONT STREET FIRE : : : : : : : : : : : : : : : : : : :
	DEFIN 1975 204 0100 0110041
,	HEIGHT 1977 7 FRONT SETBK 48' ZONING ://// ZONING :/// ZONING :// ZONING :/// ZONING ://
	310KIEB 1777
	302 "
: 2	Name of the last o
4	1 1 2. 1 . CONTING
	MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND NO PERMIT FEES REFUNDED
	- Andrew Transaction (Andrew Control of the Contr

RE: PETITION FOR VARIANCE BEFORE THE 1458 Kent Road, SW/S Kent Road, 130' NW of c/l Galena Road, 15th Election ZONING COMMISSIONER District, 5th Councilmanic OF BALTIMORE COUNTY Legal Owners: Fredrick & Evelyn Hilker Contract Purchaser: James Grace CASE NO. 96-264-A Petitioners * * * * * * * * * * * ENTRY OF APPEARANCE Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other

proceedings in this matter and of the passage of any preliminary or

final Order.

Poter Max Commen PETER MAX ZIMMERMAN People's Counsel for Baltimore County CAROLE S. DEMILIO

Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13 day of February, 1996, a copy

of the foregoing Entry of Appearance was mailed to Thomas Phelps, 945 Barron Avenue, Baltimore, MD 21221, representative for Petitioners.

SCHEDULE DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted for filing by T. Svilivan on 1-5-96

A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,

decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.
*SUGGESTED POSTING DATE /-/5-96 D (15 Days Before C)
DATE POSTED
HEARING REQUESTED-YESNODATE
CLOSING DAY (LAST DAY FOR HEARING DEMAND)/-30-96 C (B-3 Work Days)
TENTATIVE DECISION DATE $2-4-96$ B (A + 30 Days)
*Usually within 15 days of filing
CERTIFICATE OF POSTING
District
Location of property:
Posted by: Date of Posting:

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

February 22, 1996

(410) 887-4386

Mrs. Andrea R. Coscia 1457 Kent Road Baltimore, Maryland 21221

> RE: Petition for Variance Case No. 96-264-A Property: 1458 Kent Road

Dear Mrs. Coscia:

This is to acknowledge your letter of February 14, 1996 regarding the above matter. For your reference I have enclosed a copy of the opinion and Order issued in this case. Please note that I granted the zoning variance requested, subject to several restrictions.

Among the restrictions attached to the grant of this relief is a requirement that the Petitioner comply with the Zoning Plans Advisory Committee comment forwarded to me from the Department of Environmental Protection and Resource Management (DEPRM). In every zoning case, this one included, DEPRM submits a written recommendation for my consideration. In this case, DEPRM indicated that the property was subject to the Chesapeake Bay Critical Area regulations and that all development on the site must conform to those regulations. By attaching that condition as a restriction, I will require the property owner to comply with these regulations and work with DEPRM to ensure no adverse environmental effect.

I regret that you were unable to appear at the hearing to voice your concerns. If you have any questions regarding this matter, please contact

encl.

February 14, 1976

Mr. Laurence Schmide Zonin Commissioner. Rm. 112 - Old Courrhouse too Washington Avenue Jawson, 1992 21204

Number of Signs:

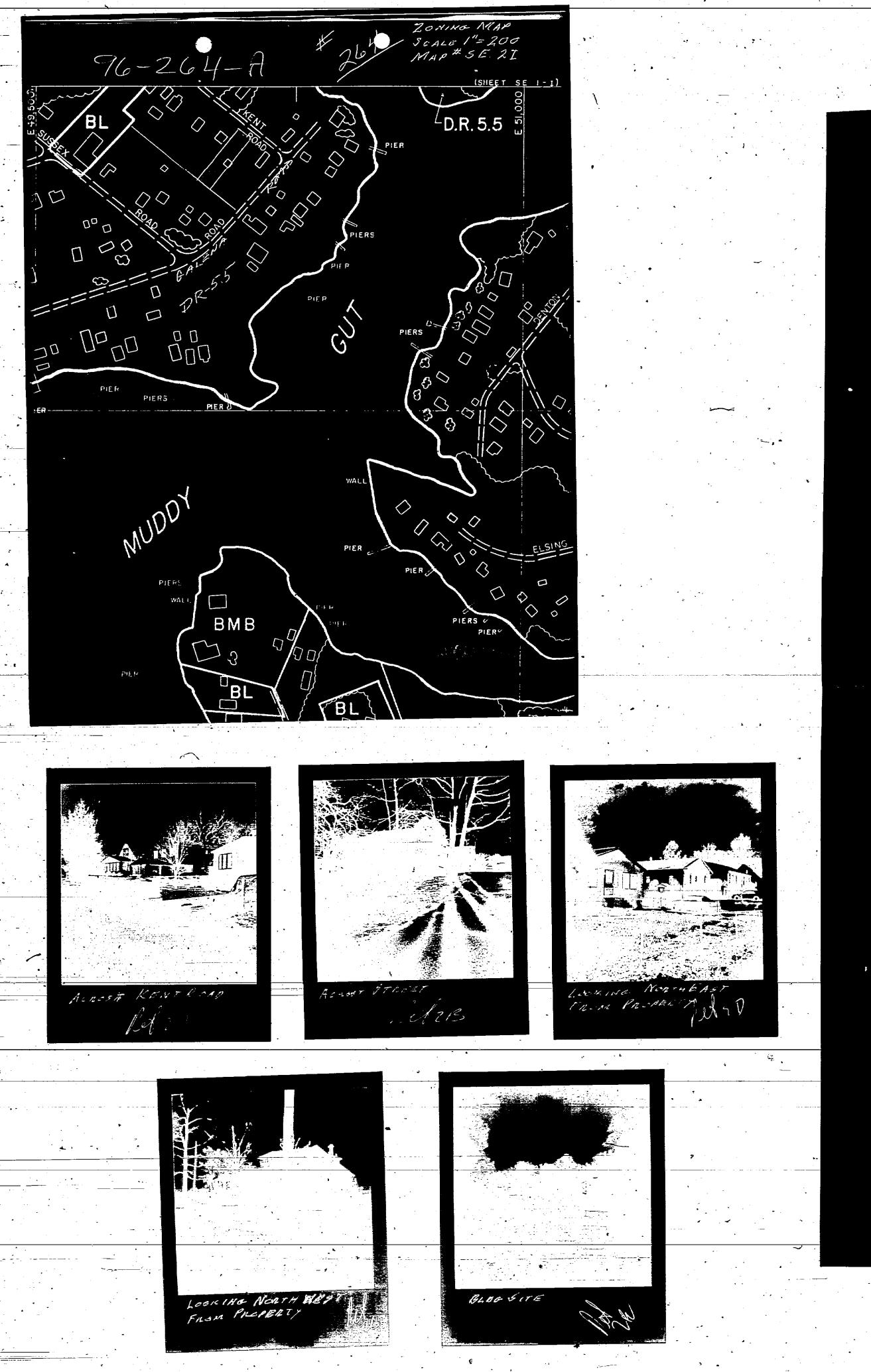


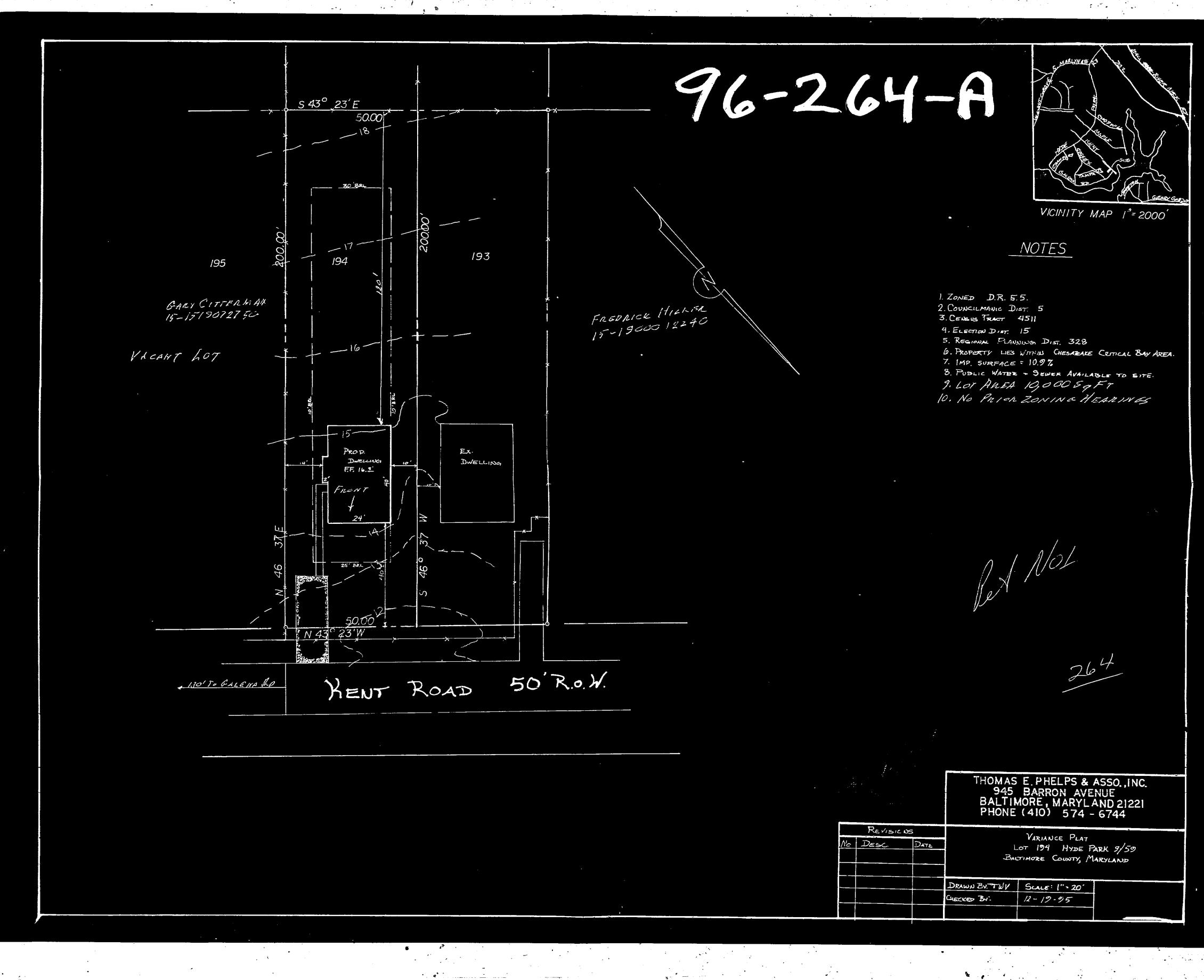
re: Cace # 96-264 A 1458 Kent Rd, Balto Mid. Diasi

Dear Mr. Schmidt,

Unfortunitely, due to car trouble. I was unable to attend the hearing scholars for today with reference to the above now.

I am intelected in this case because I live across the street from said property. They current what impact that will have live we are located in the "Checapeake Cay Critical area In on owner that there are section sestrictions with signed to new dwelling or buildings to be writed. The "unimproved" lot odjacent to myself (1757 rent) is listed so "non-buildable" as it aste a the natural run-off side. We currently, during known frains and snowfall, get a fast of water through there. My main concern is that the quidelines in the 'critical" area will be address to, such as pentatation of water into ground.

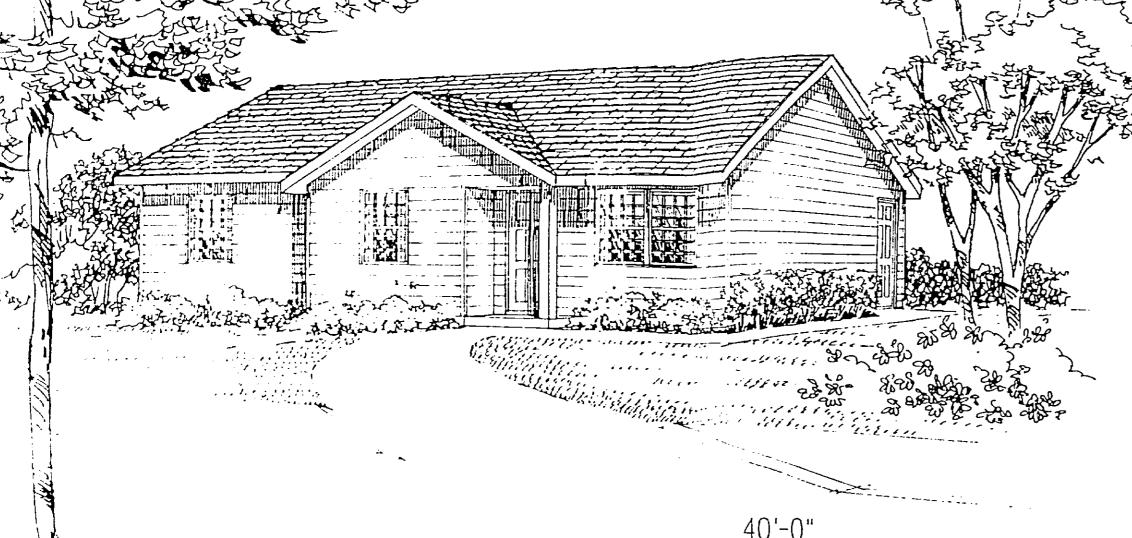


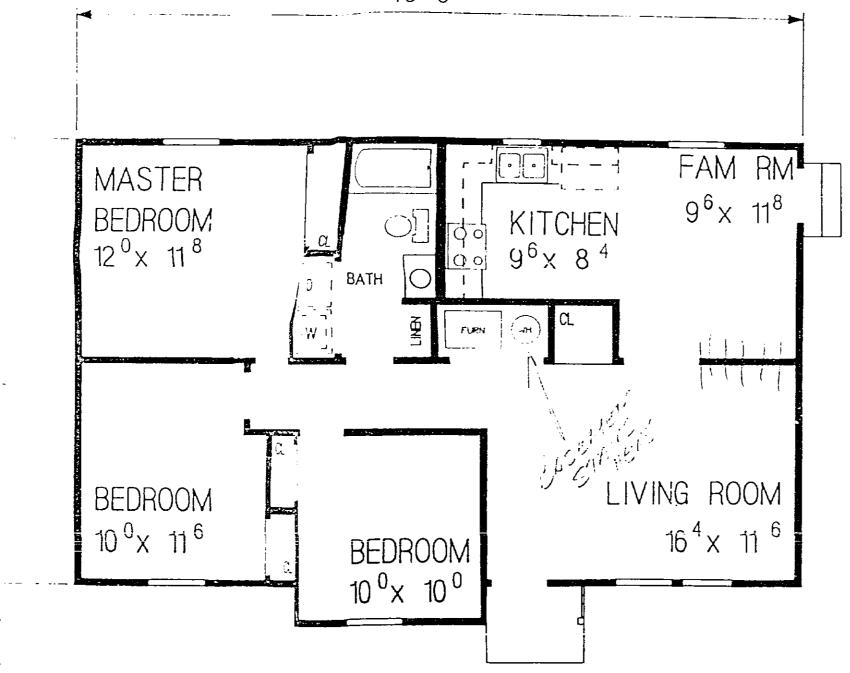


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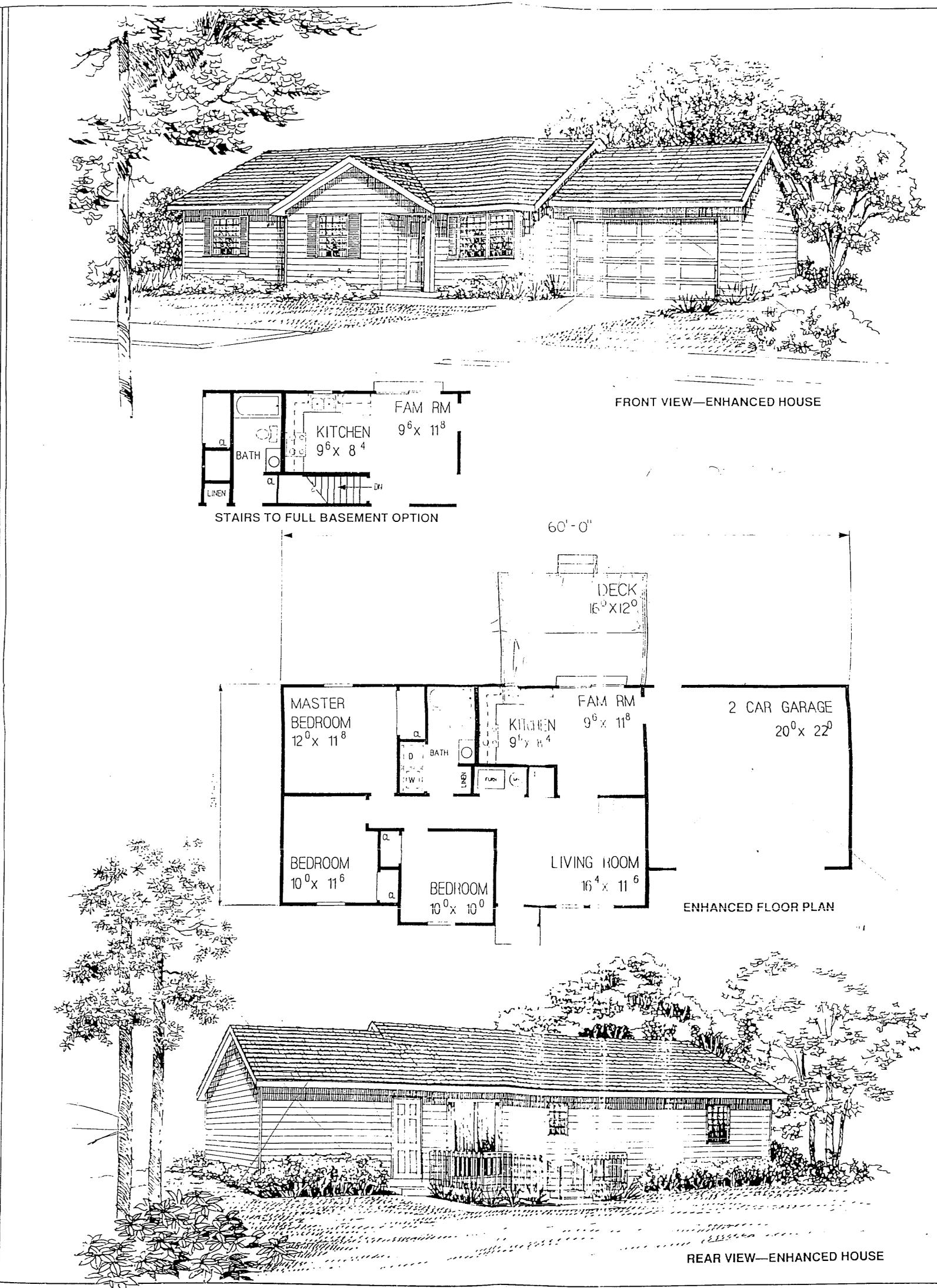
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